

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

ASHLEY COX, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 3:21-cv-253-HEH
	)	
ELLEN MARIE HESS, in her official	)	
capacity as Commissioner of the Virginia	)	
Employment Commission,	)	
	)	
Defendant.	)	

**JOINT MOTION FOR ENTRY OF SETTLEMENT ORDER  
AND REQUEST TO STAY THIS ACTION PENDING SETTLEMENT**

Plaintiffs Ashley Cox, Emily Dimond, Penny Williams, Amber Dimmerling, and Lenita Gibson, on behalf of themselves and all others similarly situated (collectively, the “Plaintiffs”), and Defendant Ellen Marie Hess, in her official capacity as Commissioner of the Virginia Employment Commission (the “Commissioner” or “Defendant”), by counsel, respectfully move this Court for entry of the enclosed Settlement Order pursuant to judicial mediation (the “Settlement Order”) and, in connection with the settlement reached by the parties, enter an order staying all further proceedings in this action pending resolution of matters addressed in the Settlement Order. In support of their joint Motion, Plaintiffs and Defendant state as follows:

1. As the Court is aware, the Parties have engaged in fruitful settlement discussions, including a joint meeting for an in-person judicial mediation on May 17, 2021, which have culminated in a settlement that is memorialized in the enclosed Settlement Order.
2. In connection with the settlement, the Parties move this Court to enter an order staying this action, including the suspension of all proceedings and filing deadlines in the case,

pending resolution of matters addressed in the Settlement Order and periodic joint status reports to be filed with the Court by the Parties.

3. The entry of the enclosed Settlement Order is necessary to memorialize the terms of the settlement reached by the Parties.

4. Pursuant to Local Civil Rule 7(J), Plaintiffs and Defendant further request disposition of this Motion without a hearing.

5. This Joint Motion is unopposed. A copy of the proposed Settlement Order, which has been fully endorsed by the parties, is being filed contemporaneously herewith.

WHEREFORE, Plaintiffs and Defendant respectfully request that the Court: (1) enter the proposed Settlement Order and (2) enter an order staying this action pending resolution of the matters addressed in the Settlement Order.

Date: May 25, 2021

Respectfully submitted,

ELLEN MARIE HESS, in her official capacity  
as Commissioner of the Virginia Employment  
Commission

By: /s/  
William W. Tunner (VSB #38358)  
William D. Prince IV (VSB #77209)  
Michael G. Matheson (VSB #82391)  
John P. O'Herron (VSB #79357)  
Rachel W. Adams (VSB #92605)  
THOMPSON McMULLAN, P.C.  
100 Shockoe Slip, 3rd Floor  
Richmond, Virginia 23219  
Tel: (804) 649-7545  
Fax: (804) 780-1813  
wtunner@t-mlaw.com  
wprince@t-mlaw.com  
mmatheson@t-mlaw.com  
joherron@t-mlaw.com  
radams@t-mlaw.com

*Counsel for Defendant Ellen Marie Hess, in her official capacity as Commissioner of the Virginia Employment Commission*

ASHLEY COX, EMILY DIMOND, PENNY WILLIAMS, AMBER DIMMERLING, AND LENITA GIBSON, on behalf of themselves and all others similarly situated

By: \_\_\_\_\_ /s/  
Leonard A. Bennett (VSB #37523)  
Amy Austin (VSB #46579)  
Craig C. Marchiando (VSB #89736)  
Consumer Litigation Associates, P.C.  
763 J. Clyde Morris Blvd., Suite 1-A  
Newport News, VA 23601  
Telephone: (757) 930-3660  
Facsimile: (757) 930-3662

Steven Fischbach (VSB #94280)  
Virginia Poverty Law Center  
919 East Main Street, Suite 610  
Richmond, VA 23219  
Telephone: (804) 351-5266

Brenda Castaneda (VSB #72809)  
Patrick Levy-Lavelle (VSB #71190)  
Granville Warner (VSB #24957)  
Legal Aid Justice Center  
1000 Preston Avenue  
Charlottesville, VA 22903  
Telephone: (434) 977-0553

Daniel Turczan (VSB #81551)  
*Admission to EDVA Pending*  
Legal Aid Works  
500 Lafayette Blvd., Suite 100  
Fredericksburg, VA 22401

Telephone: (540) 371-1105

Kristi Cahoon Kelly (VSB #72791)  
Andrew J. Guzzo (VSB #82170)  
Casey S. Nash (VSB #84261)  
Kelly Guzzo, PLC  
3925 Chain Bridge, Suite 202  
Fairfax, VA 22030  
Telephone: (703) 424-7572  
Facsimile: (703) 591-0167

*Counsel for Plaintiffs Ashley Cox, et al.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of May, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Craig C. Marchiando (VSB #89736)  
Leonard A. Bennett (VSB #37523)  
Amy Austin (VSB #46579)  
Consumer Litigation Associates, P.C.  
763 J. Clyde Morris Blvd., Suite 1-A  
Newport News, VA 23601  
Telephone: (757) 930-3660  
Facsimile: (757) 930-3662  
[lenbennett@clalegal.com](mailto:lenbennett@clalegal.com)  
[craig@clalegal.com](mailto:craig@clalegal.com)  
[amyaustin@clalegal.com](mailto:amyaustin@clalegal.com)

Steven Fischbach (VSB #94280)  
Virginia Poverty Law Center  
919 East Main Street, Suite 610  
Richmond, VA 23219  
Telephone: (804) 351-5266  
[steve@vplc.org](mailto:steve@vplc.org)

Brenda Castaneda (VSB #72809)  
Patrick Levy-Lavelle (VSB #71190)  
Granville Warner (VSB #24957)  
Legal Aid Justice Center  
1000 Preston Avenue  
Charlottesville, VA 22903  
Telephone: (434) 977-0553  
[brenda@justice4all.org](mailto:brenda@justice4all.org)  
[pat@justice4all.org](mailto:pat@justice4all.org)  
[cwarner@justice4all.org](mailto:cwarner@justice4all.org)

Daniel Turczan (VSB #81551)  
*Admission to EDVA Pending*  
Legal Aid Works  
500 Lafayette Blvd., Suite 100  
Fredericksburg, VA 22401  
Telephone: (540) 371-1105  
[dturczan@legalaidworks.org](mailto:dturczan@legalaidworks.org)

Kristi Cahoon Kelly (VSB #72791)  
Andrew J. Guzzo (VSB #82170)  
Casey S. Nash (VSB #84261)  
Kelly Guzzo, PLC  
3925 Chain Bridge, Suite 202  
Fairfax, VA 22030  
Telephone: (703) 424-7572  
Facsimile: (703) 591-0167  
kkelly@kellyguzzo.com  
aguzzo@kellyguzzo.com  
casey@kellyguzzo.com

By: /s/  
William W. Tunner (VSB #38358)  
THOMPSON McMULLAN, P.C.  
100 Shockoe Slip, 3rd Floor  
Richmond, Virginia 23219  
Tel: (804) 649-7545  
Fax: (804) 780-1813  
wtunner@t-mlaw.com

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